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Attorneys for Defendant Arctic Catering and Support, Kuukpik Arctic Services

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MICHELLE PIERCE,

Plaintiff,

v.

ARCTIC CATERING AND SUPPORT,
KUUKPIK ARCTIC SERVICES,

Defendant.

Case No. _____

**NOTICE OF REMOVAL OF CASE FROM STATE COURT
(SUPERIOR COURT CASE NO. 3AN-16-09591 CIVIL)**

TO THE DISTRICT COURT OF THE UNITED STATES, DISTRICT OF ALASKA,
AND TO THE PLAINTIFF AND HER ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that Defendant, Arctic Catering and Support Services, Kuukpik Arctic Services, contemporaneous with the filing of this Notice, is effectuating the removal of the above-referenced action from the Superior Court of the State of Alaska, Third Judicial District, to the United States District Court for the District of Alaska. A true and correct

copy of the Notice to Superior Court of Filing Notice of Removal filed in Case No. 3AN-16-09591 CI is attached hereto as **Exhibit A**. The removal is based on the following grounds:

1. On or about October 21, 2016, there was filed in the Superior Court for the State of Alaska the above-titled action, Case No. 3AN-16-09591 CI.

2. On or about November 30, 2016, the Defendant was served with a copy of the Amended Complaint and Summons by hand delivery at the corporate offices of Defendant in Anchorage, Alaska.

3. A true and correct copy of the Amended Complaint is attached hereto as **Exhibit B** and is incorporated by reference herein as though full set forth.

4. The United States District Court has jurisdiction over the superior court action in this matter, based on original jurisdiction pursuant to 28 U.S.C. § 1331, and the action may be removed pursuant to 28 U.S.C. § 1441(a) as it arises under 29 U.S.C. § 201 *et seq.* for which a cause of action in federal court is provided pursuant to 29 U.S.C. § 216(b).

5. This notice of removal is timely filed in that it is filed within 30 days of receipt of a copy of the complaint and summons by Defendant.

6. Defendant expressly consents to this notice of removal.

7. The notice to State Superior Court of the notice of removal is being filed contemporaneously with this notice in federal court.

DATED this 15th day of December, 2016, at Anchorage, Alaska.

DUCEY & ASSOCIATES LLC
Attorneys for Defendant

/s/ Cynthia L. Ducey
ABA No. 8310161

CONSENT TO REMOVAL

I, Dave Gonzales, CEO and President of Arctic Catering and Support Services Kuukpik Arctic Catering, expressly consent to removal of this action to federal court.

/s/ Dave Gonzales

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December, 2016, a copy of the above referenced document was served by mail and electronically upon:

Isaac D. Zorea
Attorney at Law
PO Box 210434
Anchorage AK 99521

/s/ Cynthia L. Ducey

Cynthia L. Ducey
4849-2129-6701, v. 1